

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 7, 1999**

## DIVISION TWO

B1215294 People (Not for Publication)  
v.  
McGhee

### The Court:

The judgment is affirmed.

Nott, Acting P.J., Zebrowski, J., Mallano, J. (Assigned)

B126859 People (Not for Publication)  
v.  
Green

### The Court:

The judgment is affirmed.

Boren, P.J., Zebrowski, J., Mallano, J. (Assigned)

B127107      Auguster      (Not for Publication)  
v.  
Workers Compensation Appeals Board

The decision of the Workers' Compensation Appeals Board is annulled.  
The matter is remanded for further proceedings consistent with this opinion.

Zebrowski, J.

We concur:   Boren, P.J.  
                      Nott, J.

DIVISION THREE

B117577      Ronda L. Warren      (Not for Publication)  
v.  
Cedars-Sinai Medical Center, etc., et al.

The trial court is ordered to enter, nunc pro tunc as of the date of the order granting defendants' motion for summary judgment, a judgment dismissing the action as to Dr. Lagasse and Cedars. Said judgment is reversed with respect to the second cause of action alleging a lack of informed consent. The judgment otherwise is affirmed. Warren is to recover costs on appeal.

Klein, P.J.

We concur:    Croskey, J.  
                 Aldrich, J.

DIVISION FOUR

B121879      People      (Not for Publication)  
v.  
Ramos

The judgment is modified to reflect that appellant has been fined in the sum of \$200 pursuant to Penal Code section 1202.45. The abstract of judgment itself must also be modified to reflect the Penal Code section 1202.4, subdivision (b) restitution fine of \$200 imposed by the court. The clerk of the superior court is ordered upon issuance of remittitur to prepare a corrected abstract of judgment and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Hastings, J.

We concur:    Vogel (C.S.), P.J.  
                 Curry, J.

## DIVISION FOUR (Continued)

B104250      People  
v.  
Reese

(Not for Publication)

For the foregoing reasons, we modify the judgment to impose and suspend a fine in the sum of \$1,000 pursuant to Penal Code section 1202.45. The Superior Court is directed to prepare an amended Abstract of Judgment which reflects the fine imposed pursuant to Penal Code section 1202.4 and the fine imposed and suspended pursuant to Penal Code section 1202.45. As modified, the judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

## DIVISION FIVE

Court convened at 8:00 a.m.

Present: Turner, P.J., Grignon, J., Weisman, J. (Assigned), and J. Belcher, Deputy Clerk.

Each of the following:

B121468 People v. Sven Johnson  
B123672 People v. Raul Calix  
B123798 People v. Darrell Houston  
B123999 People v. Timothy Bloom  
B124644 People v. Joel Romero  
B124811 People v. Quincy Mosley

Argument waived, cause submitted.

B124964      The People  
v.  
Matthew Toledo

Appearances:  
Donald Stansbarger for appellant and by Russell A. Lehman, deputy attorney general, for respondent. Argument waived, cause submitted.

DIVISION FIVE (Continued)

B131671     The People  
              v.  
              Los Angeles Superior Court  
              (Reuben Lujan, r.p.i.)

Appearances:

Natasha Cooper, deputy attorney general, for petitioner and by Joel R. Isaacson for real party in interest. Argument waived, cause submitted.

B128227     Edward Langston  
              v.  
              Raddison Hotel Corp.

Merits:

Argued by Andrew Spielberger for appellant and by Patricia Lofton for respondent. Cause submitted.

Grignon, J. leaves the bench.

Johnson, J (Assigned) assumes the bench.

B119136     Robert Soliz  
              v.  
              Alexander H. Williams III

Merits:

Argued by Rees Lloyd for appellant and by Philip S. Miller, deputy county counsel, for respondent. Cause submitted.

The court recessed at 8:45 a.m.

The Court reconvened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

Each of the following:

B126638 People v. Joseff Lebeau  
B123727 People v. Dale Freeman  
B128787 DCFS v. Deadra L.  
B125134 People v. Duane Whaley  
B126261 Ming v. Unity Adjustments  
B128422 DCFS v. Michael T.

Argument waived, cause submitted.

B118328     The People  
              v.  
              American Contractors Indemnity

Merits:

Argued by Paul M. Vidor for appellant and by Otis L. Hubbard, deputy attorney general, for respondent. Cause submitted.

B129579     Seven C. Gambardella  
              v.  
              Robert Christman

Merits:

Argued by Stephen H. Krumm for appellant and by Steven C. Gambardella, respondent in pro per. Cause submitted.

B125937     Stanley S. Lynch  
              v.  
              City of Burbank

Merits:

Argued by Patrick J. Manshardt for appellant and by George Waters for respondents. Cause submitted.

DIVISION FIVE (Continued)

B119286 Elizabeth Mach et al.  
v.  
Frances A. Moore et al.

Merits:

Argued by Jack P. Lipton for appellants and by Sean B. Hecht for respondents. Cause submitted.

B124483 Mountains Recreation & Conservation Authority  
v.  
Tucker Land Company

Merits:

Argued by Alvin S. Kaufer for appellant-respondent and by James L. Goldman for respondent-cross-appellant. Cause submitted.

B118623 Boston Marketing Company Ltd.  
v.  
New Image Industries, Inc.

Merits:

Argued by Jon R. Williams for appellant and by Norman Pine for respondent. Cause submitted.

B117061 Joseph A. Saunders  
v.  
Weissburg & Aronson

Merits:

Argued by David B. Carroll for appellant and by Marc Marmaro for respondent. Cause submitted.

The court recessed at 10:45 a.m.

July 7, 1999-Continued

DIVISION TWO (Continued)

The court reconvened at 11:00 a.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

B124856      People v. Charles McQuarn

Argument waived, cause submitted.

B121955      The People  
                 v.  
                 Juan Esquivel

Merits:

Argued by William S. Pitman for appellant and by Sunnie S. Lee, deputy attorney general, for respondent. Cause submitted.

B124974      The People  
                 v.  
                 Mark Dorsey

Merits:

Argued by Carlo Andreani for appellant and by Kerrigan M. Keach, deputy attorney general, for respondent. Cause submitted.

The court recessed at 11:30 a.m.

The Court reconvened at 1:00 p.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

B119899      Diamond Point Swim and Racquet Club  
                 v.  
                 Don Gravdahl

Merits:

Argued by Michael B. Montgomery for appellant and by Michael A. Reynolds for respondent. Cause submitted.

DIVISION FOUR (Continued)

B119846     Keith Cole  
              v.  
              Antelope Valley Unified School District

Merits:  
Argued by Dale L. Gronemeier for appellant and by Shari Daneshrad for respondent. Cause submitted.

B123376     Barbara Kalustian  
              v.  
              Foundation Health Plan

Merits:  
Argued by Robert A. Olson for appellant and by David T. Bamberger for respondent. Cause submitted.

B123278     Dillon Bolton  
              v.  
              Eugene L. Trope

Merits:  
Argued by Howard Kapp for appellant and by Roy Weatherup for respondent. Cause submitted.

B122443     Edna Kuwahara  
              v.  
              20th Century Insurance Co.

Merits:  
Argued by Lisa S. Kantor for appellant and by Thomas N. Charcut for respondent. Cause submitted.

Court Adjourned at 3:45 p.m.



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DIVISION SIX

B126277      Bauer                          (Not for Publication)  
v.  
Deavenport

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The orders are affirmed. Deavenport shall bear costs on appeal.

Gilbert, Acting P.J.

We concur: Yegan , J.  
Matz, J. (Assigned)

B118533      Kielling et al.      (Not for Publication)  
v.  
Brinkenhoff

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur: Gilbert, Acting P.J.  
Yegan, J.

B125923 Merino et al. (Not for Publication)  
v.  
McWhirter Distributing Co., Inc.

The order granting respondents a preliminary injunction is affirmed. Costs to respondents.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                         Yegan, J.

July 7, 1999-Continued

## DIVISION SIX (Continued)

B127676 People v. Wiley (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.

B124846      Emrick  
v.  
Pata

Filed order dismissing appeal without prejudice for lack of jurisdiction.

B126278      Carty  
v.  
Anooshian

Filed order dismissing appeal on the ground that the judgment of contempt is final and nonappealable.

## DIVISION SEVEN

B116306 Burns (Not for Publication)  
v.  
Baldwin et al.

Respondent's motion to dismiss the appeal of judgment and order denying judgment notwithstanding the verdict is denied. The order granting a new trial is reversed. The order denying the motion for judgment notwithstanding the verdict is affirmed. The judgment is affirmed. The order denying summary judgment is affirmed. Each side to bear its own costs on appeal.

Hay, J. (Assigned)

We concur: Lillie, P.J.

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Johnson, J.